

# INDIAN CLAIMS COMMISSION PROCEEDINGS



(1996) 4 ICCP

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## **Reports**

Sumas Inquiry

Indian Reserve No. 6 Railway Right of Way Claim

Primrose Lake Air Weapons Range II

Joseph Bighead Inquiry / Buffalo River Inquiry

Waterhen Lake Inquiry / Flying Dust Inquiry

Homalco Indian Band

Aupe Indian Reserves No. 6 & 6A Inquiry

Athabasca Denesuline Special Report on the

Treaty Harvesting Rights of the

Fond du Lac, Black Lake, and Hatchet Lake First Nations

## **Responses**

Responses of the Minister of Indian Affairs and Northern Development  
to the Athabasca Denesuline Special Report and Sumas Inquiry

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A PUBLICATION OF  
**THE INDIAN CLAIMS COMMISSION**



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Available in Canada through  
your local bookseller  
or by mail from  
Canada Communication Group — Publishing  
Ottawa, Canada K1A 0S9  
Catalogue No. RC12-1-1996E  
ISBN 0-660-16498-1  
ISSN 1195-3586

The Indian Claims Commission Proceedings is a continuing series of official reports, background documents, articles, and comment published by the Indian Claims Commission (Canada).

For information about subscriptions and extra copies or to request the French edition, *Actes de la Commission des Revendications des Indiens*, please contact

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## FROM THE CO-CHAIRS

On behalf of the Commissioners and the staff of the Indian Claims Commission, we are pleased to present the fourth volume of the *Indian Claims Commission Proceedings*. Included in it are three reports of inquiries, one special report, and two responses from the Minister of Indian Affairs and Northern Development.

The Sumas Inquiry: Report on Indian Reserve No. 6 Railway Right of Way Claim was released in February 1995. It was undertaken at the request of the Sumas First Nation of southern British Columbia and relates to a parcel of land which was expropriated in 1910 for use as a railway right of way and abandoned in 1927. The First Nation submitted that the land in question should have been returned to reserve status upon abandonment by the railway.

In September 1995, the Commission released Primrose Lake Air Weapons Range II: Report on Joseph Bighead Inquiry, Buffalo River Inquiry, Waterhen Lake Inquiry, and Flying Dust Inquiry. This is our second report relating to the land appropriated for this weapons range in northern Alberta and Saskatchewan, and to the First Nations' loss of access to their traditional hunting and trapping territory located within its boundaries. In the course of the four inquiries covered in this report, the Commission held five information-gathering sessions in the communities at which 48 community members spoke.

The Commission's Report of the Homalco Indian Band Aupe Indian Reserves 6 and 6A Inquiry was released on December 14, 1995, and it deals with the circumstances surrounding the creation of these reserves between 1888 and 1994.

Also included in this volume is a Special Report on the Treaty Harvesting Rights of the Fond du Lac, Black Lake, and Hatchet Lake First Nations, released on November 30, 1995. This report summarizes the Commission's views of the Athabasca Denesúłiné's claims to treaty harvesting rights north of 60° latitude.

Since volume 3 of the *ICCP* was published, we have received two responses to Commission reports from the Minister of Indian Affairs and Northern Development. We reproduce here the initial response to the Sumas Inquiry and to the Athabasca Denesuline Special Report.

Daniel J. Bellegarde  
Co-Chair

P.E. James Prentice, QC  
Co-Chair

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# ABBREVIATIONS

AFN	Assembly of First Nations
BCARS	British Columbia Archives and Records Service
BCJ	British Columbia Judgments
BCLR	British Columbia Law Reports
BCCA	British Columbia Court of Appeal
BCSC	British Columbia Supreme Court
CA	Court of Appeal
CCC	Canadian Criminal Cases
CCLT	Canadian Cases on the Law of Torts
CLSR	Canada Land Survey Records
CNLC	Canadian Native Law Cases
CNLR	Canadian Native Law Reporter
DIAND	Department of Indian Affairs and Northern Development
DLR	Dominion Law Report
FCA	Federal Court Appeal Division
FCA	Fur Conservation Area
FCTD	Federal Court Trial Division
FSIN	Federation of Saskatchewan Indian Nations
ICC	Indian Claims Commission
ICCP	Indian Claims Commission Proceedings
IR	Indian Reserve
NA	National Archives of Canada
ONC	Office of Native Claims
OR	Ontario Reports
QB	Court of Queen's Bench
RSC	Revised Statutes of Canada



## ABBREVIATIONS

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RSS	Revised Statutes of Saskatchewan
SBC	Statutes of British Columbia
SC	Statutes of Canada
SCC	Supreme Court of Canada
SCR	Canada Supreme Court Reports
SS	Statutes of Saskatchewan
WWR	Western Weekly Reports

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